



Tim Backup <timacbackup@gmail.com>

Request for records about \$38.86 fee for audio

Mary Sue <marysuer@valleycom.org>
To: Tim Backup <timacbackup@gmail.com>

Wed, Nov 5, 2014 at 9:52 AM

Good morning,

Thank you for your inquiry into the copying costs for Valley Com CDs. We established the fee charged for CDs several years ago when we routinely had to copy materials from a tape onto a CD and the process was much more time consuming. Valley Com is now re-examining the cost of producing CDs in light of economic efficiencies produced by upgrades in our technology. We anticipate adopting a new fee for CDs in the near future.

Valley Com intends to charge for the costs of copying files onto a CD, scanning paper records into a digital format, the cost of the CD, postage and envelopes used in mailing. Valley Com does not charge the cost to search for records, the cost to redact exempt material, or for the cost to produce a record for inspection only.

Regards,
Mary Sue

Mary Sue Robey, RPL
T [253.372.1520](tel:253.372.1520) | C [206.605.1548](tel:206.605.1548)

-----Original Message-----

From: Mary Sue
Sent: Thursday, October 30, 2014 9:30 AM
To: 'Tim Backup'; records request
Subject: RE: Request for records about \$38.86 fee for audio

I am acknowledging your email, and am looking into your request/complaint.

Regards,
Mary Sue

Mary Sue Robey, RPL
T [253.372.1520](tel:253.372.1520) | C [206.605.1548](tel:206.605.1548)

-----Original Message-----

From: Tim Backup [mailto:timacbackup@gmail.com]
Sent: Wednesday, October 29, 2014 8:01 AM
To: records request
Cc: Mary Sue
Subject: Re: Request for records about \$38.86 fee for audio

Thank you for quickly providing the requesting records, answering questions, and forwarding the compliant.

On Wed, Oct 29, 2014 at 7:56 AM, records request <recordsrequest@valleycom.org> wrote:

> I will forward your complaint to my supervisor, Mary Sue Robey.
>

> Thank You,

>

> Cassie

>

> -----Original Message-----

> From: Tim Backup [mailto:timacbackup@gmail.com]

> Sent: Wednesday, October 29, 2014 7:30 AM

> To: records request

> Subject: Re: Request for records about \$38.86 fee for audio

>

> How is it legal under the PRA to charge for stuff like redaction and recorder equipment when the PRA says an agency can only charge for copying?

>

> How do I write an official compliant?

>

> On Wed, Oct 29, 2014 at 7:14 AM, records request <recordsrequest@valleycom.org> wrote:

>> Good Morning,

>>

>> Valley Communications Center does not charge for the inspection of public records. If a citizen would like to come in and review the records an appointment needs to be set up. We do charge for the cost of materials, cost to put the records on CD (including redaction), a per page cost if necessary and postage as well as a percentage of equipment used. Due to the large variety of requests I receive I am unable to measure how long it takes me per request.

>>

>> Please feel free to contact me with any additional questions.

>>

>> Thank You,

>>

>>

>> Cassie Salwey | Public Records Specialist Valley Communications
>> Center

>> 27519 - 108th Avenue Southeast | Kent, WA 98030 T [253.372.1553](tel:253.372.1553) | F

>> [253.372.1305](tel:253.372.1305) For Public Disclosure Requests:

>> recordsrequest@valleycom.org W W

>> w . v a l l e y c o m . o r g

>>

>> -----Original Message-----

>> From: Tim Backup [mailto:timacbackup@gmail.com]

>> Sent: Tuesday, October 28, 2014 3:09 PM

>> To: records request

>> Subject: Re: Request for records about \$38.86 fee for audio

>>

>> How do I file a compliant about the fee formulation in such a fashion that the fee formulation will be reviewed?
My compliant is below:

>>

>> According to [#17:](http://www.mrsc.org/askmrsc/pastingsubject.aspx?sid=30)

>>

>> "In connection with a public records disclosure request, may a city
>> or county charge for the cost of retrieving and re-filing public
>> records that are archived in commercial facilities that charge for
>> such

>> costs?Reviewed: 01/14

>> No. Public agencies may not charge requestors for any costs incurred with locating records and making them available for inspection and/or copying. Copying charges may, of course, be imposed. See RCW 42.56.120"

>>

>> Valley Communications center can only charge for the act of copying the audio file(s) on a CD. According to the above it can not charge for making a record available for copying/inspection. That would include

reviewing/redacting the audio, researching whether the audio is completely exempt, and notifying parties involved. It does not take one hour to insert a CD, burn a file onto disk, remove CD, and mail it. Please measure how long it takes to burn an average size audio file and charge for that time. If it takes 10 minutes for the audio file to be burned to CD then the salary/benefits rate should be \$5.42 not \$32.55. Additionally I don't think recorder technology should be listed on the fee breakdown because recorders are not used for copying but for creating records.

>>

>> On Tue, Oct 28, 2014 at 2:33 PM, records request <recordsrequest@valleycom.org> wrote:

>>> Good Afternoon,

>>>

>>> Valley Communications Center does NOT charge per audio, it is per request or per page depending on the type of request.

>>>

>>> I have attached a report from our Finance Department showing all payments for records requests during the months of June - August. Unfortunately we are unable to remove attorneys or per page requests so it has all records request payments on it. We do not track the time it takes per request.

>>>

>>> Again, feel free to contact me if you have any questions.

>>>

>>> Thank You,

>>>

>>> Cassie Salwey

>>>

>>> -----Original Message-----

>>> From: Tim Backup [mailto:timacbackup@gmail.com]

>>> Sent: Tuesday, October 28, 2014 11:31 AM

>>> To: records request

>>> Subject: Re: Request for records about \$38.86 fee for audio

>>>

>>> Thank you for the prompt response.

>>>

>>> I want to find out if Valley Com is charging requesters \$38.86 per audio. So if one person asks for all 911 audio for a shooting call and theres 5 audio files is the requester being charged \$194.30? If so I have a hard time believing it takes five hours to copy 5 audio files.

>>>

>>> I request records showing fees paid by individual requesters from June 1, 2014 through August 30, 2014. My guess is there is a spreadsheet of requests or a dataset that can be exported to CSV or Excel format. If there is I want it. I also request any records showing the time duration for processing records requests in that time frame. Please email me the records.

>>>

>>> On Tue, Oct 28, 2014 at 11:14 AM, records request <recordsrequest@valleycom.org> wrote:

>>>> Good Morning,

>>>>

>>>> Attached are the records as to how we determine our fees. If you have any additional questions please feel free to contact me.

>>>>

>>>> Thank You,

>>>>

>>>>

>>>> Cassie Salwey | Public Records Specialist Valley Communications

>>>> Center

>>>> 27519 - 108th Avenue Southeast | Kent, WA 98030 T [253.372.1553](tel:253.372.1553) | F

>>>> [253.372.1305](tel:253.372.1305) For Public Disclosure Requests:

>>>> recordsrequest@valleycom.org W

>>>> www.valleycom.org

>>>>

>>>> -----Original Message-----

>>>> From: Tim Backup [mailto:timacbackup@gmail.com]
>>>> Sent: Tuesday, October 28, 2014 10:55 AM
>>>> To: records request
>>>> Subject: Request for records about \$38.86 fee for audio
>>>>
>>>> I'm trying to figure out why Valley Communications charges \$38.86
>>>> for
>>>> 911 audio. It seems very high to me given that agencies can only charge the actual cost of copying a
record. They can't charge for reviewing it etc.
>>>>
>>>> My request is records showing the breakdown of the \$38.86 flat fee. If there is no responsive records for
that. Please provide me records related to the fee such as emails discussing what the fee should be.
>>>>
>>>> If you would like to explain the fee rather than provide records that's fine by me but not required by the
public records act.
>>>>
>>>> Please email me the records.